



U.S. COMMODITY FUTURES TRADING COMMISSION

Three Lafayette Centre
1155 21st Street, NW, Washington, DC 20581
www.cftc.gov

FOIA Office

September 11, 2019

Taylor Amarel
MuckRock News, DEPT MR 80026
411A Highland Ave.
Somerville, MA 02144-2516

RE: 19-00122-FOIA

Dear Mr. Amarel:

This letter is to acknowledge receipt of your Freedom of Information Act ("FOIA") request dated September 8, 2019, and received by the FOIA Office in the Commodity Futures Trading Commission ("Commission") on September 11, 2019, seeking access to: Requesting the following records: All emails sent to, from, or copied to: J. Christopher Giancarlo, from January 1, 2016 to Present Day containing any of the following non-case-sensitive key-string "whistleblower 11 , "laundering" or "prosecution". After conducting a search to determine how many email records exist, if these records are too cumbersome to go through, please let me know the total number of records for the time period requested and I may desire to modify my request to limit the keywords or timeframe.

(Date Range for Record Search: From 1/1/2015 To 9/11/2019). This letter is to inform you that we will be unable to respond to your request within the statutory 20-business day deadline as codified in 5 U.S.C. § 552(a)(6)(A)(i).

The FOIA, as amended in 2002, allows for an extension of the 20-day deadline if one of three types of "unusual circumstances" exist. *See 5 U.S.C. § 552(a)(6)(B)(i)-(iii).* Your request falls under one or more of these three circumstances:

- (1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;
- (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; and/or
- (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.

Because of these unusual circumstances, we need to extend the time limit to respond to your request by ten additional working days as provided by the statute, and may extend the time

limit beyond the ten additional days in certain circumstances. For your information, we use multiple tracks to process requests, but within those tracks we work in an agile manner, and the time needed to complete our work on your request will necessarily depend on a variety of factors, including the complexity of our records search, the volume and complexity of any material located, and the order of receipt of your request. At this time we have assigned your request to the complex track. In an effort to speed up our process, you may wish to narrow the scope of your request to limit the number of potentially responsive records so that it can be placed in a different processing track. You can also agree to an alternative time frame for processing, should records be located; or you may wish to await the completion of our records search to discuss either of these options. You may also contact the Office of Government Information Services ("OGIS") at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services,
National Archives and Records Administration, Room 2510
8601 Adelphi Road
College Park, Maryland 20740-6001

Telephone: 202-741-5770
Toll Free: 1-877-684-6448
Facsimile: 202-741-5769
Email: ogis@nara.gov

Please note that pursuant to the Commission regulations, processing fees may be charged even if no records are ultimately furnished to you, and the Commission will begin charging interest on unpaid bills starting on the 31st day following the day on which the bill was sent. If you have requested a fee waiver and/or expedited processing of your request, we will provide a response once a determination has been made.

I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible. If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact me at 202-418-5149, or Jonathan Van Doren, our FOIA Public Liaison, at 202-418-5505. Please refer to the control number (19-00122-FOIA) that has been assigned when making your inquiry.

Sincerely,



Patricia P. Williams